

REMARKS

Claims 1, 3-17, and 19-32 are pending, in which claims 1, 3-9, 17, 19, 24, 31, and 32 are currently amended. Claims 2 and 18 were previously canceled. No new matter is introduced.

The Office Action mailed November 2, 2009 rejected claims 1-5, 10-14, 16, and 18-32 under 35 U.S.C. § 103(a) as being unpatentable over *Yoakum et al.* (US 6,658,095) in view of *Davies et al.* (US 7,359,938), rejected claims 6-8 and 15 under 35 U.S.C. § 103(a) as being unpatentable over *Yoakum et al.* in view of *Davies et al.* in further view of *Birkler et al.* (US Pub. 2002/0129103).

Applicant appreciates the indication that independent claim 17 is allowed, as well as the indication that dependent claim 9 would be allowable if written in independent form.

With respect to obviousness rejections, to reduce issues for potential appeal, Applicants have amended independent claims 1, 19, 31, and 32, to better define the claimed presence document. As amended, these claims recite the features of a “presence document corresponding to the presentity and specifying a version of the presence document, wherein the **presence document comprises a plurality of parameters relating to the presentity**, the parameters including the presence information.” This amendment is fully supported, for example, by FIG. 3 and accompanying text (paragraphs [0051]-[0054]) of the Specification.

By contrast, the Office Action, on page 3, explains that the status information of *Yoakum et al.* (col. 7, lines 45-49 of *Yoakum*) can be equated to the “the presence document.” Given the claim amendment, it is clear that status information would not include “a plurality of parameters relating to the presentity.” *Yoakum et al.* merely describes a presence system capable of monitoring state information derived from a plurality of sources over any number of disparate networks (Abstract). Based on available state information, the presence system can provide

different views of presence for different subscribers to allow the user to control delivery and use of presence information; and different subscribers may receive different presence information based on the same state information (col.3, lines 51-56).

The secondary references of *Davies et al.* or *Birkler et al.* fail to cure the deficiencies of *Yoakum et al.* *Davies et al.* is relied upon for a supposed disclosure of “transmitting presence information that has changed” (page 8 of the Office Action). In the context of the amended claims, the presence document also specifies “a version of the presence document.” At best, the applied art, namely *Birkler*, discloses use of versions of merely presence information, not presence document in the manner claimed.

Therefore, Applicants submit the applied references, either when taken singularly or in combination, fail to disclose or suggest all the claimed features of independent claims 1, 19, 31, and 32. The dependent claims are considered allowable for the reasons advanced for independent claim from which they respectively depend.

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

March 2, 2010

Date

/Phouphanomketh Ditthavong/

Phouphanomketh Ditthavong
Attorney/Agent for Applicant(s)
Reg. No. 44658

918 Prince Street
Alexandria, VA 22314
Tel. (703) 519-9951
Fax (703) 519-9958